

No. 03-2988

Appellant.

Appeal from the United States
District Court for the
Northern District of Iowa.

[UNPUBLISHED]

Submitted: June 4, 2004
Filed: June 14, 2004

PER CURIAM.

Janis Kreitinger (Kreitinger) pled guilty to credit card and wire fraud in violation of 18 U.S.C. §§ 1029(a)(2), 1343, and 3147(1). The district court¹ sentenced Kreitinger to a total term of 46 months imprisonment to be followed by concurrent 3- and 5-year terms of supervised release. The court also ordered Kreitinger to pay restitution of \$1,881.03. Kreitinger appeals. Her counsel has filed a brief and moved to withdraw under Anders v. California, 386 U.S. 738 (1967), and Kreitinger has filed a pro se supplemental brief.

After careful review, we reject counsel's argument that the court plainly erred in failing to determine Kreitinger's understanding of applicable Guidelines enhancements. See United States v. Vonn, 535 U.S. 55, 58-59 (2002) (defendant who allows Federal Rule of Criminal Procedure 11 error to pass without objection in trial court must satisfy plain-error rule, i.e., that claimed plain error affected defendant's substantial rights); United States v. Bond, 135 F.3d 1247, 1248 (8th Cir.) (per curiam) (at plea hearing, district court not obligated to inform defendant of applicable Guidelines range or actual sentence), cert. denied, 524 U.S. 961 (1998). Kreitinger's claims of ineffective assistance are not properly before us. See United States v. Martin, 59 F.3d 767, 771 (8th Cir. 1995).

Having found no nonfrivolous issues after reviewing the record as required under Penon v. Ohio, 488 U.S. 75, 80 (1988), we affirm. We also grant counsel's motion to withdraw, and we deny Kreitinger's motion for new counsel.

¹The Honorable Linda R. Reade, United States District Judge for the Northern District of Iowa.